

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED
AUG 10 PM 2 57

CLERK, U.S. DISTRICT COURT

BALLY MANUFACTURING CORPORATION,)
)
Plaintiff,)
)
v.)
)
D. GOTTLIEB & CO.,)
WILLIAMS ELECTRONICS, INC. and)
ROCKWELL INTERNATIONAL CORPORATION,)
)
Defendants.)

CIVIL ACTION

NO. 78 C

DOCKETED
AUG 11 1981

NOTICE OF DEPOSITION

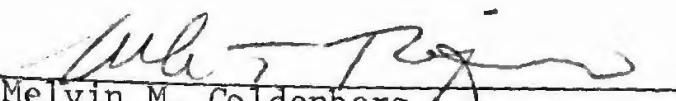
TO: Donald L. Welsh
A. Sidney Katz
Fitch, Even, Tabin
Flannery & Welsh
135 S. LaSalle Street
Chicago, Illinois 60603

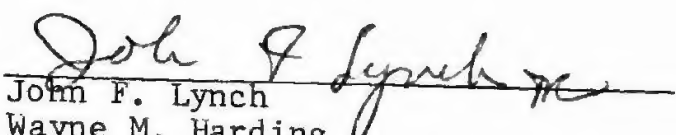
Gerson E. Meyers
Dressler, Goldsmith, Clement
Gordon & Shore, Ltd.
1800 Prudential Plaza
Chicago, Illinois 60601

PLEASE TAKE NOTICE that at 9:30 a.m. on the 14th day of August, 1981, at the offices of Townsend and Townsend, Five Palo Alto Square, 3000 El Camino Real, Palo Alto, California 94304, or such other place agreed to by counsel for the parties, the defendants in the above captioned action will take the deposition of Kenneth Thomas whose post office address is 21580 Stevens Creek Boulevard, Cupertino, California, upon oral examination pursuant to the Federal Rules of Civil Procedure before a Notary Public or other officer authorized by law to administer oaths. The oral examination will continue from day to day until completed or

until adjourned by defendants. The witness will be asked to produce the items set forth in the Attachment hereto.

You are invited to attend and cross-examine.


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ATTACHMENT TO SUBPOENA OF KENNETH THOMAS

You are requested to produce for inspection and copying in connection with your deposition all documents and things in your possession, custody or control relating to the subject matter of the Affidavit and Declaration which you executed February 27, 1981 and July 16, 1981, respectively, including without limitation:

1. Documents and things relating to your employment by Cramer Electric during the period 1972 through 1974 which refer or relate to the projects you worked on or the people you worked with.

2. Documents relating to the companies and persons referred to in paragraph 3 of the Affidavit and all contacts with such companies and persons.

3. Documents relating to visits or discussions with Steven Mayer regarding microprocessors and the Intel development system.

4. Documents relating to the statement set forth in paragraph 11 of the Affidavit including the original or copies of the confidential disclosure agreement.

5. Documents relating to the statements in paragraph 9 of the Affidavit and paragraph 3 of the Declaration.

6. Documents which relate to the inquiries made by Mr. Mayer set forth in paragraph 12 of the Affidavit.

7. Correspondence to or from Bally or its attorneys relating to any of the foregoing matters and specifically including, without limitation, correspondence, notes, tapes, etc., relating to the preparation of the Affidavit and Declaration.